JUN/22/2C..

NO. 9751

- [Previously 9526] --

STATE OF TEXAS

§ IN THE DISTRICT COURT

VS.

411TH JUDICIAL DISTRICT

RICHARD LYNN WINFREY, JR.

SAN JACINTO COUNTY, TEXAS

#### PETITION FOR EXPUNCTION

### TO THE HONORABLE JUDGE OF SAID COURT:

Now comes RICHARD LYNN WINFREY, JR., Petitioner, and moves the Court to order expunction of all criminal records and files pertaining to the arrest of Petitioner described below, and would respectfully show as follows:

The following information regarding Petitioner is included pursuant to Section
 2(b) of Article 55.02, Texas Code of Criminal Procedure:

NAME: RICHARD LYNN WINFREY, JR:

SEX: MALE

RACE: WHITE/CAUCASION

DATE OF BIRTH:

DRIVER'S LICENSE NO., STATE:

Texas

SOCIAL SECURITY NO.:

ADDRESS AT TIME OF ARREST:

Coldspring, TX 77331

2. RICHARD LYNN WINFREY, JR. was charged with the following offense, regarding which the following information is provided in accordance with said Section 2(b) of said Article 55.02:

ALLEGED OFFENSE: CAPITAL MURDER

DATE OF ALLEGED OFFENSE: AUGUST 6, 2004

COUNTY WHERE ALLEGED OFFENSE OCCURRED: SAN JACINTO COUNTY,

TEXAS

1 Page

On The AD 20 07
Time REBECCA CAPERS
Clork District Court San Jacinto County, Taxas
Rebicca Caper Doputy

16-20702.4209

**EXHIBIT A** 



JUN/22/2.... .... ....

4. UUT

DATE OF ARREST: 2-8-2007

COUNTY WHERE ARRESTED: WALKER COUNTY, TEXAS

MUNICIPALITY WHERE ARREST OCCURRED: HUNTSVILLE TEXAS

ARRESTING AGENCY: TEXAS DEPARTMENT OF PUBLIC SAFTEY, TEXAS

RANGERS

CASE NUMBER: 9751 [previously 9526]

COURT: 411th Judicial District Court of SAN JACINTO County, Texas

- 3. Petitioner is entitled to an expunction of all records and files relating to said alleged offense CAPITAL MURDER under Article 55.01(a)(1)(A) of the Texas Code of Criminal Procedure, because Petitioner was tried for the offense and was acquitted of this charge in this cause on JUNE 12, 2009. (See judgment of acquittal attached hereto).
- 4. Petitioner has reason to believe that the following law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, central federal depositories of criminal records, other officials, agencies, entities, and political subdivisions of this state, or private entities that compile and disseminate criminal history record information for compensation, may have records or files pertaining to Petitioner in connection with the arrest and/or alleged offense described above, and which are subject to expunction:

TEXAS DEPARTMENT OF PUBLIC SAFTEY CRIMINAL RECORDS DIVISION - MSC 0234 For itself and for any private entity to which it provided information P.O. BOX 4143 AUSTIN, TX 78765-4143

TEXAS DEPARTMENT OF PUBLIC SAFETY DRIVER IMPROVEMENT BUREAU P.O. BOX 4040 AUSTIN, TX 78765-4040

JUN/22/20.5.102 01.00 1.5

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that the above-described records be expunged as provided by Chapter 55 of the Texas Code of Criminal Procedure.

Respectfully submitted,

LAW OFFICES OF SHIRLEY BACCUS-LOBEL A Professional Corporation 8350 Meadow Road, Suite 186 Dallas, Texas 75206

Tel: (214) 220.8460 Fax: (214) 987.3169

Зу;<u>\_/\_\_\_\_</u>

SHIRLEY BACCUS-LOBEL

State Bar No. 0/488000 - .

Attorney for RICHARD LYNN WINFREY, JR.

LAW OFFICES OF BILLY RAVKIND 5005 GREENVILLE AVE STE 200 Dallas, Texas 75206

Tel: (214) 559-0555

Fax: (214)

By:

BILLYRAVKIND

State Bar No. 16587300

Attorney for RICHARD LYNN WINFREY, JR.

JUN/22/21

··· <u>VERIFICATION</u>-·····

STATE OF TEXAS

8

COUNTY OF SAN JACINTO

BEFORE ME, the undersigned authority, personally appeared RICHARD LYNN WINFREY, JR., who, having been duly sworn, stated:

"My name is RICHARD LYNN WINFREY, JR. I am the Petitioner in the above Petition for Expunction. I have read said Petition for Expunction and the facts stated therein are true and correct."

Sworn to and subscribed before me on

DORETHA ANDERSON
MY COMMISSION EXPIRES
MARCH 30, 2011

July 8 2009

NOTARY PURITC

CERTIFICATE OF SERVICE

BILLYRAVKIND

5|Page



CASE No. 9751

COUNT One

INCIDENT NO./TRN: 0108854881

THE STATE OF TEXAS	§ In The 411th District .	***
V.	8	
ν,	§ Court	
MA.	§	
Richard Lynn Winfrey, Jr.	§ San Jacinto County, Te	XAS
	§	1 N. P.W
State ID No.:	8	

# JUDGMENT OF ACQUITTAL BY JURY

•	The state of the s		FEDERAL PARTIES AND ADDRESS AN	
Judge Presiding:	HON. ROBERT H. TRAFF	Date Judgment Entered:	6/12/2009	440017-440
Attorney for State:	BILL BURNETT	Attorney for Defendant:	BILLY RAVKIND	
Charged Offenag:		The second secon		
CAPITAL MUR	DER			
Charging Instrumen	£	Statuta for Offigge:		
INDICTMENT		19.03 Penal Co	de	
<u> Plea to Offense:</u>				
WALL THAT THE				

NOT GUILTY

All pertinent information, names and assessments indicated above are incorporated into the lunguage of the judgment below by reference,

This cause was called for trial in San Jacinto County, Texas. The State appeared by her District Attorney.

Counsel/Waiver of Counsel (select one)

Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

It appeared to the Court that Defendant was mentally competent and had pleaded as shown above to the charging instrument. Both parties announced ready for trial. A jury was selected, impaneled, and sworm. The INDICTMENT was read to the jury, and Defandant entered a plea of NOT GUILTY to the charged offense. The Court received the plea and entered it of record.

The jury heard the evidence submitted and the argument of counsel. The Court charged the jury as to its duty to determine the guilt or innocence of Defendant, and the jury retired to consider the svidence. Upon returning to open court, the jury delivered its verdict. The Court received the jury's verdict and ordered the verdict entered of record upon the minutes of the Court as follows:

"We, the Jury, find the defendant NOT GUILTY."

The Court ORDERS, ADJUDGES, AND DECREES that Defendant is NOT GUILTY of the charged offense as FOUND BY THE VERDICT OF THE JURY. The Court FURTHER ORDERS Defendant immediately discharged.

Signed and entered on June 12, 2009

ROBERTH, TRAPP

JUDGE PRESIDING

Clerk:

Judimencal reduces profession (CONLLONS)

Pars Lof I

REBECCA CAPERS District Court Syn Jacinto County, Taxas JUN/22/20.0, ... 0..00 ...

NO. 9751

[Previously 9526]

STATE OF TEXAS

IN THE DISTRICT COURT

¥5,

411TH JUDICIAL DISTRICT

RICHARD LYNN WINFREY, JR.

SAN JACINTO COUNTY, TEXAS

#### PETÍTION FOR EXPUNCTION

#### TO THE HONORABLE JUDGE OF SAID COURT:

Now comes RICHARD LYNN WINFREY, JR., Petitioner, and moves the Court to order expunction of all criminal records and files pertaining to the arrest of Petitioner described below. and would respectfully show as follows:

The following information regarding Petitioner is included pursuant to Section 2(b) of Article 55.02, Texas Code of Criminal Procedure:

NAME: RICHARD LYNN WINFREY, JR.

SEX: MALE

RACE: WHITE/CAUCASION

DATE OF BIRTH:

DRIVER'S LICENSE NO., STATE:

SOCIAL SECURITY NO.:

ADDRESS AT TIME OF ARREST:

Coldspring, TX 77331

2. RICHARD LYNN WINFREY, JR. was charged with the following offense, regarding which the following information is provided in accordance with said Section 2(b) of said Article 55.02:

ALLEGED OFFENSE: CONSPIRACY TO COMMIT CAPITAL MURDER DATE OF ALLEGED OFFENSE: AUGUST 6, 2004 COUNTY WHERE ALLEGED OFFENSE OCCURRED: SAN JACINTO COUNTY. TEXAS

1 Page

Clerk District Court San Jacinto County, Texas

16-20702.4214

DATE OF ARREST: 2-8-2007

COUNTY WHERE ARRESTED: WALKER COUNTY, TEXAS

MUNICIPALITY WHERE ARREST OCCURRED: HUNTSVILLE TEXAS

ARRESTING AGENCY: TEXAS DEPARTMENT OF PUBLIC SAFTEY, TEXAS

RANGERS

CASE NUMBER: 9751 [previously 9526]

COURT: 411th Judicial District Court of SAN JACINTO County, Texas

- 3. Petitioner is entitled to an expunction of all records and files relating to said alleged offense of CONSPIRACY TO COMMIT CAPITAL MURDER under Article 55.01(a)(1)(A) of the Texas Code of Criminal Procedure, because Petitioner was tried for the offense and was acquitted of this charge in this cause on JUNE 12, 2009. (See judgment of acquittal attached hereto).
- 4. Petitioner has reason to believe that the following law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, central federal depositories of criminal records, other officials, agencies, entities, and political subdivisions of this state, or private entities that compile and disseminate criminal history record information for compensation, may have records or files pertaining to Petitioner in connection with the arrest and/or alleged offense described above, and which are subject to expunction:

TEXAS DEPARTMENT OF PUBLIC SAFTEY CRIMINAL RECORDS DIVISION - MSC 0234 For itself and for any private entity to which it provided information P.O. BOX 4143 AUSTIN, TX 78765-4143

TEXAS DEPARTMENT OF PUBLIC SAFETY DRIVER IMPROVEMENT BUREAU P.O. BOX 4040 AUSTIN, TX 78765-4040

2|Page

TEXAS CRIME INFORMATION CENTER, for itself and for any private entities to which information regarding the arrest was provided. P.O. BOX 4143

AUSTIN, TX 78765-4143

411TH JUDICIAL DISTRICT COURT, for itself and for the Grand Jury 1 STATE HWY. 150 ROOM 23 COLDSPRING, TX 77331

SAN JACINTO DISTRICT CLERK, for itself and the Grand Jury 1 STATE HWY. 150 ROOM 4 COLDSPRING, TX 77331

SAN JACINTO COUNTY SHERIFF 73 W. CEDAR AVENUE COLDSPRING, TX 77331

WALKER-COUNTY-SHERIFF 717 FM 2821 WEST HUNTSVILLE, TX 77320

MONTGOMERY COUNTY SHERIFF NO. 1 CRIMINAL JUSTICE DRIVE CONROE, TEXAS 77301

FORT BEND COUNTY SHERIFF 1410 RANSOM RD. RICHMOND, TX 77469

SAN JACINTO CRIMINAL DISTRICT ATTORNEY, for itself and for the Grand Jury, and for any private entities to which information regarding the arrest was provided.

1 STATE HWY. 150

ROOM 21

COLDSPRING, TX 77331

TEXAS DEPARTMENT OF PUBLIC SAFETY TEXAS RANGERS, for itself and for any private entity to which it provided information regarding the arrest

3 | Page

JUN/22/20.0.0.0 0.00 0.00

<u>VERIFICATION</u>

STATE OF TEXAS

§

COUNTY OF SAN JACINTO

.

BEFORE ME, the undersigned authority, personally appeared RICHARD LYNN WINFREY, JR., who, having been duly sworn, stated:

"My name is RICHARD LYNN WINFREY, JR. I am the Petitioner in the above Petition for Expunction. I have read said Petition for Expunction and the facts stated therein are true and correct."

PRICHARD LYNN WINFREY, JR.

Sworn to and subscribed before me on

DORETHA ANDERSON MY COMMISSION EXPIRES MARCH 30, 2011 De Al- A. A.

NOTARY PUBLIC

CERTIFICATE OF SERVICE

This is to certify that on \_\_\_\_\_\_\_\_, 2009 a true and correct copy of this document and the proposed Order Granting Expunction were served on the District Attorney's Office, San Jacinto County, BILL BURNETT, DISTRICT ATTORNEY FOR SAN JACINTO COUNTY, TEXAS, by facsimile transmission to 936-653-2143, and by Federal Express.

BILLY RAVEIND

5 Page

JUN/22/2(...



CASE No. 9751

COUNT Two

INCIDENT NO./TRN: 0108354881

THE STATE OF TEXA	NS .	§ In The	E 411TH DISTRICT
V.		ş Court	•
RICHARD LYNN WIN	ifrey, Jr.	§ § San Ja §	CINTO COUNTY, TEXAS
STATE ID No.:		Š	
141	JUDGMENT OF	ACQUITTAL B	YJURY
Judge Presiding: Hor	ROBERT H. TRAPP	Date Judgmens Entered	6/12/2009
**************************************	L BURNETT	Attorney for Defendant:	BILLY RAVKIND
	OMMIT CAPITAL MURD	ER	And the second s
Charging Instrument: INDICTMENT		Statute for Offense: 15.02 Penal Coc	<b>3</b> -
Plea to Offense: NOT GUILTY	anamananananananananananananananananana	10.02 Fenal Oo	1 E
All pertinent information	n, names and assessments indicated ab	ove are incorporated into the	language of the judgment below by reference.
This cause was call	ed for trial in San Jacinto County	, Texas. The State appear	ed by her District Attorney.
Defendant appeared in	of Counsel (select one) person with Counsel.	Se verse en	Company of the contract of the
Defendant knowingly, i	atelligently, and voluntarily waive	d the right to representat	ion by counsel in writing in open court.
It appeared to the instrument. Both parties a jury, and Defendant enters	Court that Defendant was mentall nnounced ready for trial. A jury w I s plea of NOT OUILTY to the char	y competent and had plea us selected, impaneled, an ged offense. The Court rea	ded as shown above to the charging and sworn. The INDICTMENT was read to the caived the plea and entered it of record.
The jury heard the the guilt or innoconce of De	evidence submitted and the argue fendant, and the jury retired to co	nent of counsel. The Councider the evidence. Upor	rt charged the jury as to its duty to determine a returning to open court, the jury delivered its upon the minutes of the Court as follows:
"We, the	a Jury, find the defendant	NOT GUILTY."	
The Court ORDER FOUND BY THE VERDICE	S, ADJUDGES, AND DECREE OF THE JURY. The Court Furt	9 that Defendant is NOT HER ORDERS Defendant i	GUILTY of the charged offense as mmediately discharged.
Signed and entered	on June 12, 2009	/)	:
		8 Solut	H. Man
		ROBERT H. TRAP JUDGE PRESIDING	P

Clerk:

Time CO: AD ATT A REBECCA CAPERS
Clark District County San Jacinto County, Texas

Kelters Caper - Door

Judgment\_sf\_Acquital\_by\_Jury\_050106(COUNT TWO)

Page 1 of 1

## CERTIFIED COPY

NO. 9751 [Formerly 9526]

STATE OF TEXAS

S
IN THE DISTRICT COURT

S
411TH JUDICIAL DISTRICT

RICHARD LYNN WINFREY, JR.

SAN JACINTO COUNTY, TEXAS

#### ORDER GRANTING EXPUNCTION

On 13th, 2009 the Court considered the Petitions for Expunction of RICHARD LYNN WINFREY, JR., which the Court finds should be GRANTED.

The following information regarding Petitioner is included in this Order pursuant to Section 3(b) of Article 55.02, Texas Code of Criminal Procedure:

NAME: RICHARD LYNN WINFREY, JR.

SEX: MALE -

RACE: WHITE/CAUCASION

DATE OF BIRTH:

DRIVER'S LICENSE NO., STATE:

Texas

SOCIAL SECURITY NO.:

The Court finds that RICHARD LYNN WINFREY, JR. is entitled to expunction as provided by Article 55.01(a)(1)(A), Texas Code of Criminal Procedure, with respect to the following offenses charged against Petitioner, with pertinent information provided in accordance with said Section 3(b) of said Article 55.02:

ALLEGED OFFENSES: CAPITAL MURDER, CONSPIRACY TO COMMIT CAPITAL MURDER

DATE OF ALLEGED OFFENSE: AUGUST 6, 2004

COUNTY WHERE ALLEGED OFFENSE OCCURRED: SAN JACINTO COUNTY

TEXAS

DATE OF ARREST: 2-8-2007

CASE NUMBER: 9751 [formerly 9526]

COURT: 411th Judicial District Court of SAN JACINTO County, TEXAS

TRN (Tracking Incident Number): 0108354881

copy of each judgment of acquittal regarding said offenses is attached heretg and

incorporated by reference pursuant to Section 3(b) of Article 55.02, Texas Code of Criminal Procedure.

The Court further finds that the following law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, central federal depositories of criminal records, other officials, agencies, entities, and political subdivisions of this state, or private entities that compile and disseminate criminal history record information for compensation, may have records or files pertaining to Petitioner in connection with the arrest and/or alleged offenses described in this Order, and which are subject to expunction:

TEXAS DEPARTMENT OF PUBLIC SAFTEY

For itself, and for any private entities to which information pertaining to petitioner was provided

ERIMINAL REGORDS DIVISION -MSC 0234----

P.O. BOX 4143

AUSTIN, TX 78765-4143

TEXAS DEPARTMENT OF PUBLIC SAFETY DRIVER IMPROVEMENT BUREAU P.O. BOX 4040 AUSTIN, TX 78765-4040

TEXAS CRIME INFORMATION CENTER

For itself, and for any private entities to which information pertaining to petitioner was provided P.O. BOX 4143. AUSTIN, TX 78765-4143

411TH JUDICIAL DISTRICT COURT, for itself, and for the Grand Jury 1 STATE HWY. 150
ROOM 23
COLDSPRING, TX 77331

SAN JACINTO DISTRICT CLERK, for itself, the grand jury, and for any private entities to which information pertaining to petitioner was provided

1 STATE HWY. 150

r ROOM 4

COLDSPRING, TX 77331

SAN JACINTO COUNTY SHERIFF 73 W. CEDAR AVENUE COLDSPRING, TX 77331

WALKER COUNTY SHERIFF 717 FM 2821 WEST HUNTSVILLE, TX 77320

MONTGOMERY COUNTY SHERIFF NO. 1 CRIMINAL JUSTICE DRIVE CONROE, TEXAS 77301

FORT BEND COUNTY SHERIFF 1410 RANSOM RD. RICHMOND, TX 77469

SAN JACINTO CRIMINAL DISTRICT ATTORNEY, for itself, the Grand Jury, and any private entity to which information pertaining to petitioner was provided.

1 STATE HWY. 150 - ROOM 21
COLDSPRING, TX 77331

TEXAS DEPARTMENT OF PUBLIC SAFETY
TEXAS RANGERS, for itself and any private entity to which information pertaining to petitioner was provided
P.O. BOX 4087
AUSTIN, TX 78773-0600

The Court ORDERS that any of the above-named agencies and/or persons that sent information to a central federal depository regarding the arrest and/or alleged offenses described herein shall request such federal depository to return all records and files subject of this Order.

The clerk of this court is ORDERED to send a certified copy of this Order by hand delivery or by certified mail, return receipt requested, to the Crime Records Service of the Texas Department of Public Safety and to each other agency, jail or other detention facility, magistrate, court, prosecuting attorney, correctional facility, central state depository of criminal records, official, entity, or political subdivision named hereinabove. In the event that this Order is

delivered by hand delivery, the clerk of the court is further directed to receive a receipt for each such Order delivered in this manner.

The Texas Department of Public Safety is ORDERED to notify any central federal depository of criminal records by any reasonable means of this Order. The Texas Department of Public Safety shall also provide, by secure electronic mail, electronic transmission, or facsimile transmission, notice of the order to any private entity that is named in the order or that purchases criminal history record information from the department. The notice must include an explanation of the effect of the Order and a request that the records in possession of the depository or entity, including any information with respect to the Order, be destroyed or returned to the Court.

It is further ORDERED, that, upon receipt of this Order, each agency, jail or other detention facility, magistrate, court, prosecuting attorney, correctional facility, central state depository of criminal records, official, entity, or political subdivision named hereinabove shall:

(1) return to this Court all records and files that are subject to this Order, or, if removal is impracticable, obliterate all portions of the record or file that identify RICHARD LYNN WINFREY, JR. and notify this Court of any such action; and (2) delete from public records all index references to the records and files that are subject to this Order.

It is further ORDERED that the records concerning this proceeding are not open for inspection by anyone, and the Clerk of this Court shall obliterate all public references to this proceeding and maintain the files or other records in an area not open to inspection.

Signed on

2-007

JUDGE PRESIDING



CASE NO. 9751

COUNT One

INCIDENT NO./TRN: 0108854881

The State of Texas	§ 8	IN THE 411TH DISTRICT
Ÿ,	\$ \$	Court
Richard Lynn Winfrey, Jr.	9 - 9 8	San Jacinto County, Texas

STATE ID No.

JUDGMENT OF ACQUITTAL BY JURY

Date Judgment 6/12/2009 HON. ROBERT H. TRAPP Judge Presiding: Entered: Attorney for BILLY RAYKIND BILL BURNETT Attorney for State: Defendant: Charged Offense: CAPITAL MURDER

Charging Instrument: INDICTMENT

Statute for Offense: 19.03 Penal Code

Plan to Offenne: NOT GUILTY

All perfinent information, names and assessments incloseed above are incorporated into the language of the Judgment below by releience.

This cause was called for trial in San Jacinto County, Texas. The State appeared by her District Attorney.

Counsel/Waiver of Counsel (select one)

Defendant appeared in person with Counsel.

Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

It appeared to the Court that Defendant was mentally competent and had pleaded as shown above to the charging instrument. Both parties announced ready for trial. A jury was selected, impaneled, and sworn. The INDICTMENT was read to the jury, and Defendant entered a plea of NOT GUILTY to the charged offense. The Court received the plea and entered it of record.

The jury heard the evidence submitted and the argument of counsel. The Court charged the jury as to its duty to determine the guilt or innocence of Defendant, and the jury retired to consider the evidence. Upon returning to open court, the jury delivered its verdict. The Court received the jury's verdict and ordered the verdict entered of record upon the minutes of the Court as follows:

"We, the Jury, find the defendant NOT GUILTY."

The Court ORDERS, ADJUDGES, AND DECREES that Defendant is NOT CUILTY of the charged offense as FOUND BY THE VERDICT OF THE JURY: The Court FURTHER ORDERS Defendant immediately discharged.

Signed and entered on June 12, 2009

ROBERT H. TRAPP

JUDGE PRESIDING

Clerks

Judgment of Acquist by Jury 000 108 (COUNT ONE)

10:10

REBECCA CAPERS Clerk Quaries Court Squ Jacinto County, Toxas



		Case No. 9751 Incident No	)./TRN; 010	Count T 98354881	wo
THE STATE OF T	EXAS		§	In The 4	11th District
V.			600 600 1	COURT	
RICHARD LYNN	Winfrey, Jr.	·	8 9	San Jac	into County, Texas
STATE ID No.:			Š		TOTAL AND THE STATE OF THE STAT
	JUD	GMENT OF A	LCQUIT	TAL BY	JURY
Judge Presiding:	HON. ROBERT	H. TRAPP	Date Judi Entered;	şment	6/12/2009
Attorney for State:	BILL BURNET	rr	Attorney Defendan		BILLY RAVKIND
Charged Offense: CONSPIRACY T	O COMMIT CA	PITAL MURDE	R		,
Charging Lagtrument INDICTMENT Plea to Offense:	······································		Statute fo	g Offense: enal Code	
NOT GUILTY					King and the second sec
					ngunge of the judgment below by reforence.
			exas. The S	tate appeared	by her District Attorney.
Defendant appear Defendant knowin	igly, intelligently, ar	ounsel. A voluntarily waived	the right to	roprosentatio	n by counsel in writing in open court.
It appeared t instrument. Both par	o the Court that Def ties announced read	endant was mentally a y for trial. A jury was	competent a celected, in	nd had plead ipaneled, and	ed as shown above to the charging sworn. The INDICTMENT was read to the

jury, and Defendent entered a plea of NOT QUILTY to the charged offense. The Court received the plea and entered it of record.

The jury heard the evidence submitted and the argument of counsel. The Court charged the jury as to its duty to determine the guilt or innocence of Defondant, and the jury retired to consider the evidence. Upon raturning to opon court, the jury delivered its verdict. The Court received the juxy's verdict and ordered the verdict entered of record upon the minutes of the Court as follows:

"We, the Jury, find the defendant NOT GUILTY."

The Court ORDERS, ADJUDGES, AND DECREES that Defendant is NOT GUILTY of the charged offense as FOUND BY THE VERDICT OF THE JURY. The Court Further Orders Defendant immediately discharged.

Signed and entered on June 12, 2009

ROBERT H. TRAPP JUDGE PRESIDING

Clerk:

REBECCA CAPERS